

# Altera Law Group, LLC

Intellectual Property Law

6500 City West Parkway – Suite 100, Minneapolis, MN 55344-7704 USA

**FACSIMILE TRANSMISSION COVER SHEET**

FROM: Altera Law Group, LLC

PHONE NO.: 952-253-4100

INTERNET: [mail@AlteraLaw.com](mailto:mail@AlteraLaw.com)

FAX NO.: 952-912-0574

July 23, 2004

Fax No.: (703) 872-9306

Pages: 23

Phone No.: (571) 272-0917

TO: Commissioner for Patents and  
TrademarksRECEIVED  
FROM: Hallie A. Finucane  
CENTRAL FAX CENTERATTN: Examiner Leon B. Lankford, Jr  
Alexandria, VA 22313-1450

JUL 23 2004

Applicant: Ogle, et al.

Serial No.: 10/008430

Filed: November 13, 2001

Group Art Unit: 1651

Docket No.: 01610.0039-US-01

Title: MEDICAL DEVICES THAT STIMULATE GROWTH FACTOR PRODUCTION

OFFICIAL

## Documents Transmitted:

- This Facsimile Transmission Cover Sheet (1 page)
- RCE Transmittal and Fee Authorization, in duplicate (4 pages)
- Petition for Extension of Time under 37 CFR §1.136(a) (1 page)
- Response Accompanying RCE (17 pages)

Respectfully submitted,

Altera Law Group, LLC  
Customer No. 22865

Date: July 23, 2004

By: Hallie A. Finucane  
Hallie A. Finucane  
Reg. No. 33,172  
HAF/mar

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (703) 872-9306, on July 23, 2004.

Hallie A. Finucane  
Name of Person Signing This Certificate

Signature

If you did NOT receive all of the pages, please call us in the U.S.A. at 952-253-4100 or fax us at 952-912-0574.

This transmission contains information that is confidential and/or legally privileged. It is intended for use only by the person to whom it is directed. If you have received this telecopy in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us.

Serial No. 10/008430

PATENT

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL  
AND FEE TRANSMITTAL

Applicant: Ogle, et al.

Examiner: Leon B. Lankford, Jr.

Serial No.: 10/008430

Group Art Unit: 1651

Filed: November 13, 2001

Docket No.: 01610.0039-US-01

Title: MEDICAL DEVICES THAT STIMULATE GROWTH FACTOR  
PRODUCTION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office. Fax No. (703) 872-9306 on July 23, 2004.

\_\_\_\_\_  
Hallie A. Finucane  
Name of Person Signing This Certificate

*Hallie A. Finucane*  
Signature

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. This is a request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.
2. The following are submitted under 37 C.F.R. §1.114.
  - a.  Previously Submitted
    - Amendment/Reply under 37 C.F.R. §1.116 previously filed on
    - Appeal Brief previously filed on
    - Reply Brief previously filed on
    - Other
  - b.  Enclosed
    - Response Accompanying Request for Continued Examination Under 37 CFR § 1.114
    - Affidavit(s)/Declaration(s)
    - Information Disclosure Statement
    - Petition for Extension of Time
    - Other:
3. Miscellaneous
  - a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of        months.
  - b.  Other:

## 4. Fees

a.  Check(s) for required fees

1.  Check in the amount of for RCE filing fee.  
2.  Check in the amount of for request for suspension of action  
3.  Check in the amount of for an Extension of Time  
4.  Other:

b.  The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account number 50-1038. A duplicate copy of this form is enclosed.

1.  The RCE fee of \$770.00 required under 37 CFR 1.17(e).  
2.  The request for suspension of action  
3.  The Extension of Time for months  
4.  Other:

c.  Payment is made via credit card. (Form PTO-2038 is enclosed)

d.  Authorization is hereby given to charge any fees that relate to the filing of this RCE and are necessary to avoid abandonment of this application, or credit any overpayments, to Deposit Account Number 50-1038. If an extension of time for replying is necessary, the undersigned hereby petitions therefor.

Respectfully submitted,

Altera Law Group, LLC  
Customer No. 22865

Date: July 23, 2004

By:

Hallie A. Finucane  
Hallie A. Finucane  
Reg. No. 33,172  
HAF/mar

Serial No. 10/008430

PATENT

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL  
AND FEE TRANSMITTAL

Applicant: Ogle, et.al.

Examiner: Leon B. Lankford, Jr.

Serial No.: 10/008430

Group Art Unit: 1651

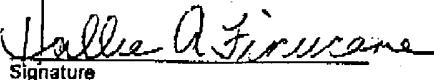
Filed: November 13, 2001

Docket No.: 01610.0039-US-01

Title: MEDICAL DEVICES THAT STIMULATE GROWTH FACTOR  
PRODUCTION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark  
Office . Fax No. (703) 872-9306 on July 23, 2004.

Hallie A. Finucane  
Name of Person Signing This Certificate

  
Signature

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. This is a request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.
2. The following are submitted under 37 C.F.R. §1.114.
  - a.  Previously Submitted
    - Amendment/Reply under 37 C.F.R. §1.116 previously filed on
    - Appeal Brief previously filed on
    - Reply Brief previously filed on
    - Other
  - b.  Enclosed
    - Response Accompanying Request for Continued Examination Under 37 CFR § 1.114
    - Affidavit(s)/Declaration(s)
    - Information Disclosure Statement
    - Petition for Extension of Time
    - Other:
3. Miscellaneous
  - a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of      months.
  - b.  Other:

## 4. Fees

a.  Check(s) for required fees

1.  Check in the amount of for RCE filing fee.
2.  Check in the amount of for request for suspension of action
3.  Check in the amount of for an Extension of Time
4.  Other:

b.  The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account number 50-1038. A duplicate copy of this form is enclosed.

1.  The RCE fee of \$770.00 required under 37 CFR 1.17(e).
2.  The request for suspension of action
3.  The Extension of Time for months
4.  Other:

c.  Payment is made via credit card. (Form PTO-2038 is enclosed)

d.  Authorization is hereby given to charge any fees that relate to the filing of this RCE and are necessary to avoid abandonment of this application, or credit any overpayments, to Deposit Account Number 50-1038. If an extension of time for replying is necessary, the undersigned hereby petitions therefor.

Respectfully submitted,

Altera Law Group, LLC  
Customer No. 22865

Date: July 23, 2004

By:

Hallie A. Finucane  
Hallie A. Finucane  
Reg. No. 33,172  
HAF/mar

Serial No. 10/008430

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ogle, et al. Examiner: Leon B. Lankford, Jr.  
Serial No.: 10/008430 Group Art Unit: 1651  
Filed: November 13, 2001 Docket No.: 01610.0039-US-01  
Title: MEDICAL DEVICES THAT STIMULATE GROWTH FACTOR PRODUCTION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. (703) 872-9306 on July 23, 2004.

Hallie A. Flinucane  
Name of Person Signing This Certificate

Hallie A. Flinucane  
Signature

RESPONSE ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION UNDER  
37C.F.R. §1.114

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper accompanies a Request for Continued Examination and is in reply to the final Office Action dated March 23, 2004. Further examination and reconsideration of the present application in view of the amendment and remarks set forth herein is respectfully requested.

No claims have been amended. Remarks begin at page 2. There are no amendments to the specification or drawings.